IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

TUESDAY, THE 4TH DECEMBER 2007 / 13TH AGRAHAYANA 1929

WP(C).No. 20896 of 2007(K)

PETITIONER:

1. SHANMUGHAN, S/O. GOPALAN,
MANALTHODE, K.K.PATHI, CHITTUR TALUK,
PALAKKAD DISTRICT.

2. NARAYANASWAMY, S/O. VEERASHA GOUNDER,
KAITHAPPARA CHALLA, NATTUKAL P.O., CHITTUR TALUK,
PALAKKAD DISTRICT.

3. JANAKI, W/O. NATARAJ GOUNDER,
6TH MILE, VANNAMADA, CHITTUR TALUK,PALAKKAD DIST.

4. THANKANAYAKAM,
W/O. GOPALASWAMY GOUNDER, SANKUMENON CHALLA,
NATTUKAL P.O., CHITTUR TALUK, PALAKKAD DISTRICT.

5. MAYILSWAMY, S/O. AYIMUTHU KOUNDER,
MADUVANKALAM, K.K.PATHI P.O., CHITTUR TALUK,
PALAKKAD DISTRICT.

6. MURUGESAN, S/O. MAYILSWAMY KOUNDER,
KULAKOUNDER CHALLA, KOZHIPATHY, CHITTUR TALUK,
PALAKKAD DISTRICT.

7. PREMAKUMARI, W/O. DEVADAS,
MANALTHODU KUKLAM, 5TH MILE, KOZHIPATHY VILLAGE,
CHITTUR TALUK, PALAKKAD DISTRICT.

8. SUBRAMANIAN, S/O. KALLAPPA VELAR,
KUKPPAYANCHALLA, KOZHIPATHY P.O., CHITTUR TALUK,
PALAKKAD DISTRICT.

9. ARUMUGHA KOUNDER, S/O.CHADAYAPPA KOUNDER
KULAKOUNDER CHALLA, K.K.PATHY P.O.,CHITTUR TALUK,
PALAKKAD DISTRICT.

10. MUHAMMED HANEEFA, S/O.SHAMSUDHEEN,
PARAKKALAM, KOZHINJANPARA P.O., CHITTUR TALUK,
PALAKKAD DISTRICT.

BY ADV. SRI.P.R.VENKETESH

RESPONDENTS:

THE CHITTUR PRIMARY CO-OP. AGRICULTURAL
AND RURAL DEVELOPMENT BANK LIMITED, CHITTUR,
PALAKKAD DISTRICT REPRESENTED BY ITS SECRETARY.

BY ADV. SRI.GEORGE POONTHOTTAM

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 04/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX IN W.P(C) 20896/07

PETITIONER'S EXTS:

EXT.P1: RUE COPY OF THE CIRCULAR NO: 57/2006 (A) DT. 28.11.2006 ISSUED BY THE REGISTRAR OF CO OP SOCIETIES TRIVANDRUM

EXT.P2: -DO- OF THE AUCTION NOTICE DT. 23.5.2007 RECEIVED BY THE 1ST PETITIONER

EXT.P3: -DO- 7/6/2007 RECEIVED BY THE 2ND PETITIONER

EXT.P4: -DO- DT. 25.4.2007 RECEIVED BY THE 3RD PETITIONER

EXT.P5: -DO- DT. 23.5.2007 RECEIVED BY THE 4TH PETITIONER

EXT.P6: -DO- OF THE AUCTION NOTICE DT. 23.5.2007 RECEIVED BY THE 5TH PETITIONER

EXT.P7: -DO- OF THE AUCTION NOTICE DT. 1.6.2007 RECEIVED BY THE 6TH PETITIONER

EXT.P8: -DO- OF THE AUCTION NOTICE DT. 26.4.2007 RECEIVED BY THE 7TH PETITIONER

EXT.P9: -DO- DT. 23.5.2007 RECEIVED BY THE 8TH PETITIONER

EXT.P10: -DO- OF THE AUCTION NOTICE DT. 1.6.007 RECEIVED BY THE 9TH PETITIONER

EXT.P11: -DO- OF THE AUCTION NOTICE DT. NIL RECEIVED BY THE 10TH PETITIONER

jj /TRUE COPY/

P.A. TO JUDGE

THOTTATHIL B. RADHAKRISHNAN, J.

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WP(C).No.20896 of 2007-K

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Dated this the 4th day of December, 2007.

JUDGMENT

1.Learned counsel for the petitioners concedes that the conditions imposed as per the interim order dated 16-7-2007 were not complied with.

2.Heard learned counsel for parties on merits.

3.The loan is availed for a housing purpose and not for agricultural purpose. The circular relied on by the petitioners does not apply to the transaction. I do not find any legal infirmity or jurisdictional error in the impugned proceedings. Hence, this writ petition is dismissed.

THOTTATHIL B. RADHAKRISHNAN,
JUDGE.

Sha/